

2000P22369WOUS
Wolfgang OCHEM *et al.*
Appl. No.: 10/613,016

REMARKS

Claim Status

After entry of this Amendment, Claims 21 – 25 are pending. By this Amendment, Claims 1 – 20 are cancelled, and new Claims 21 – 25 are added. No new matter has been added.

Information Disclosure Statement

Applicants thank the Examiner for including the two pieces of Non-Patent Literature filed on January 12, 2004 in PTO Form 892, and considering these documents. Applicants, therefore, refrain from re-submitting these non-patent documents via form PTO/SB/08A.

Drawings

The Examiner objects to the drawings because the drawing should be labeled "Figure 1". The application includes only a single drawing. According to MPEP § 608.02 (u)(1), a single view must not be numbered and the abbreviation "FIG." must not appear. As the Examiner's reason for objecting to the drawings is in direct conflict with MPEP § 608.02 (u)(1), Applicants respectfully requests the Examiner to reconsider the instant objection.

Specification

The Examiner objects to the abstract because the phrase "The preset invention" should be changed to "The present invention". The abstract is amended as set forth above.

Further, the Examiner objects to the disclosure because of informalities relating to the section "Brief Description of the Several Views of the Drawings". More particularly, the Examiner requests that this section refer to the drawing by figure number.

The section describes the single drawing as depicting in diagrammatic form an exchange in a switching system comprising a number of exchanges. This is believed to be a concise description of the drawing. In view of the above-discussed objection to the

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drawing. Applicants believe that introducing a figure number is not required and would cause an inconsistency between the specification and the drawing. Applicants respectfully request the Examiner to reconsider and withdraw the objection to the specification.

Should the Examiner maintain the objection to the drawings and the related objection to the specification, Applicants are prepared to submit an amended drawing sheet and to amend the specification.

Claim Rejections – 35 U.S.C. § 102

The Examiner rejects Claims 1, 4 – 6, 10 and 12 under 35 U.S.C. § 102(b) as being anticipated by Cline (U.S. Patent No. 4,972,465). Hence, the Examiner asserts that Cline discloses each and every limitation of these claims. Applicants respectfully traverse.

Cline teaches a method for increasing the availability of a switching system, wherein a switch 201 (Fig. 5) is used as inter-module trunk switch to have an additional path for setting up a connection available, in case the central switching unit 10 (Fig. 5) is not available for setting up the connection. (Col. 10, lines 54 – 59, col. 12, lines 45 – 48.) Characteristic in Cline is that separate trunks are introduced between the switches to provide alternative paths. (Col. 10, lines 54 – 59.) The control of the establishment of these connections occurs via one of the switches, which is then used as an intermodule trunk switch. (Col. 12, lines 45 – 50, and col. 13, lines 20 – 27.)

In view of Cline's controlling intermodule trunk switch, Applicants submit that Cline does not disclose establishing links under the control of the central controller, as defined in Claim 1. For that reason alone, Cline does not disclose each and every limitation of Claim 1, and, hence, does not anticipate independent Claim 1, and Claims 4 – 6, 10 and 12, which depend from Claim 1.

To expedite examination and allowance of the instant application, Claims 1 – 20 are cancelled, and new Claims 21 – 25 are added, as set forth in the above listing of claims. New Claim 21 is believed to further distinguish the claimed method over Cline. Among other limitations, new Claim 21 distinguishes between subscriber access units that

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are adjacent to one another, and subscriber access units that are not adjacent. Similar to now cancelled Claim 1, new Claim 21 defines establishing a connection between access lines of line termination units under control of the central controller, but without involvement of the central switching unit of the exchange.

As discussed above, Cline fails to disclose establishing links under the control of the central controller. In addition, Cline does not distinguish between adjacent and not adjacent subscriber access units. Accordingly, Cline fails to disclose or suggest:

establishing a first connection between access lines of line termination units . . . directly in the subscriber access unit concerned when the line termination units belong to one and the same subscriber access unit, and between the subscriber access units, which are coupled to one another and are adjacent to one another, when the line termination units belong to adjacent subscriber access units, and

establishing a second connection between access lines of line termination units, which belong to subscriber access units that are not adjacent to one another, via one of trunk lines running directly between these subscriber access units and at least one other subscriber access unit

For at least the foregoing, Applicants submit that Cline does not disclose or suggest each and every limitation recited in new Claim 21, and, consequently, does not anticipate or suggest the subject matter of new Claim 21. Applicants respectfully request the Examiner to reconsider the rejections under 35 U.S.C. § 102(b) and to pass new Claim 21 to allowance.

New Claims 22 - 25 correspond to now cancelled Claims 5, 6, 7 and 14, and depend from new independent Claim 21. These dependent claims recite additional inventive features that are in combination with the features of new Claim 21 not disclosed or suggested by Cline. The above arguments regarding new Claim 21 are repeated herewith. Each dependent claim is, therefore, on its own patentable. Accordingly, Applicants respectfully request the Examiner to pass Claims 22 - 25 to allowance.

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Claim Rejections – 35 U.S.C. § 103

Under 35 U.S.C. § 103(a), the Examiner rejects Claims 2, 3, 8 and 14 – 19 as being unpatentable over Cline in view of Billhardt ("A Survey of the Remote Switching Capabilities of the 5ESS Switch"), Claims 7, 11 and 13 as being unpatentable over Cline in view of the document "EWSD Remote Switching Unit – The Intelligent Solution for Smart Remote" ("EWSD document"), Claim 9 as being unpatentable over Cline in view of Billhardt and further in view of the EWSD document, and Claim 20 as being unpatentable over Cline in view of the EWSD document and further in view of Billhardt. Applicants respectfully traverse.

New Claims 22 – 25 correspond to now cancelled Claims 5, 6, 7 and 14. The instant rejections of Claims 2, 3, 8, 9, 11, 13 and 15 – 20 are, therefore, believed to be moot.

New Claims 22 – 25 depend from new Claim 21, and recite additional inventive features that are in combination with the features of Claim 21 patentable distinct over the cited references. The above arguments regarding new Claim 21 are repeated herewith. Billhardt's switch or the EWSD document's remote switching unit do not provide the missing teachings in Cline to render obvious new Claim 21. Accordingly, at least for the above reasons, Claims 22 – 25 are patentable. Reconsideration and withdrawal of the rejections are respectfully requested.

CONCLUSION

The present response is intended to correspond with the Revised Amendment Format. Should any part of the present response not be in full compliance with the requirements of the Revised Amendment Format, the Examiner is asked to contact the undersigned for immediate correction.

For the above reasons, Applicants respectfully submit that the application is in condition for allowance, and such allowance is herewith respectfully requested. No new matter has been added.

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Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issues promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 502464 referencing attorney docket number 2000P22369WOUS. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Date: 6/19/07

Respectfully submitted,

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